

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY STOCKHOLM

AMEMBASSY BONN

AMEMBASSY COPENHAGEN

AMEMBASSY HELSINKI

AMEMBASSY LONDON

AMEMBASSY OSLO

USMISSION EC BRUSSELS

INFO USMISSION GENEVA

AMEMBASSY PARIS

UNCLAS STATE 062900

E.O. 11652: N/A

TAGS: ELAB, EAGR, ETRD

SUBJECT: LABOR DISPUTE INVOLVING GRAPE AND LETTUCE
BOYCOTT.

REF: STOCKHOLM'S 1245, 984

EC BRUSSELS 1759

INVIEW OFTHE CONTINUING REPERCUSSIONS ABROAD AS REPORTED
REFTELS, THERE IS QUOTED BELOW FOR THE GUIDANCE OF ADDRESSEE
POSTS AN EXCERPT FROM THE DEPARTMENT'S RECENT REPLY TO
CONGRESSIONAL INQUIRIES CONCERNING ALLEGATIONS OF INTER-
FERENCE BY OUR EMBASSIES IN EUROPE WITH THE BOYCOTT EFFORTS
OF THE UNITED FARM WORKERS OF AMERICA (UFW), AFL-CIO
AGAINST THE SALE OF US PRODUCED TABLE GRAPES AND LETTUCE.

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THE QUOTED PARAGRAPH REFLECTS THE DEPARTMENT'S OWN REVIEW OF THE CIRCUMSTANCES DESCRIBED IN THE CALIFORNIA SUPREME COURT DECISION IN THE CASE OF ENGLUND VS- CHAVEZ OF DECEMBER 29, 1972 AND INDICATES THE LINE THAT ADDRESSEE POSTS SHOULD SEEK TO FOLLOW IN RESPONSE TO FUTURE INQUIRIES CONCERNING THE LABOR RELATIONS ASPECTS OF THIS DISPUTE. FOR THOSE POSTS, IN PARTICULAR- WHICH HAVE ALREADY RESPONDED INDEPENDENTLY TO INQUIRIES FROM THE UFW OR OTHER SOURCES CONCERNING THEIR ACTIONS IN CONNECTION WITH THE BOYCOTT, IT SHOULD BE NOTED THAT THE DEPARTMENT DOES NOT REPLY NOT CHARACTERIZE THE LABOR DISPUTE UNDERLYING THE BOYCOTT AS A

QUOTE JURISDICTIONAL UNQUOTE ONE.

QUOTE THIS DEPARTMENT IS NOT FAMILIAR WITH ALL ASPECTS OF THE DOMESTIC LABOR DISPUTE UNDERLYING THE UNITED FARM WORKERS' CRITICISM OF THE SALES PROMOTION ACTIVITIES FOR GRAPES AND LETTUCE AT OUR EMBASSIES ABROAD. BASED ON OUR REVIEW OF THE CIRCUMSTANCES DESCRIBED IN THE CALIFORNIA SUPREME COURT DECISION IN THE CASE OF ENGLUND V. CHAVEZ OF DECEMBER 29, 1972, TO WHICH MR. PESTOFF'S LETTER IN THE QUOTE NATION UNQUOTE OF DECEMBER 14, 1974 REFERS, IT DOES APPEAR THAT WITH THE COURT'S FINDING OF EMPLOYER INTERFERENCE, AN ADDITIONAL ELEMENT WAS INTRODUCED WHICH MAKES THE DISPUTE MORE THAN QUOTE...MERELY ONE BETWEEN TWO UNIONS...UNQUOTE. THE DEPARTMENT OF AGRICULTURE HOWEVER, MAINTAINS THAT IT HAS NO AUTHORITY TO DENY ITS SERVICES TO A LEGITIMATE U.S. BUSINESS CONCERN SOLELY BECAUSE IT IS INVOLVED IN A LABOR DISPUTE. TO THE EXTENT THAT THERE MAY BE A QUESTION IN THIS SITUATION ABOUT THE CRITERIA FOR DETERMINING THE PRODUCTS TO BE INCLUDED IN THE DEPARTMENT OF AGRICULTURE'S EXPORT PROMOTION PROGRAM, THE DEPARTMENT RESPECTFULLY SUGGESTS THAT YOU MAY WISH TO EXPLORE THE QUESTION FURTHER WITH THESE DOMESTIC AGENCIES CONCERNED. UNQUOTE

A COPY OF THE FULL TEXT OF THE DEPARTMENT'S LETTERS TO SENATOR HENRY W. JACKSON AND CONGRESSMAN PHILLIP BURTON, WHICH INCLUDE A DESCRIPTION OF THE DEPARTMENT OF AGRICULTURE'S EXPORT PROMOTION PROGRAM FOR LETTUCE AND UNCLASSIFIED

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GRAPES, WILL FOLLOW SHORTLY BY AIRGRAM. INGERSOLL

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NNN

Message Attributes

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Type: TE
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